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MEMORANDUM ENDORSED

December 1, 2022

VIA ECF

Hon. Gabriel W. Gorenstein
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 6B
New York, NY 10007-1312

Re: *Novartis Pharma AG v. Incyte Corporation*, No. 1:20-cv-00400-GHW-GWG —
Joint Request to Adjourn December 7, 2022 Conference on Discovery Dispute

Dear Judge Gorenstein:

We represent Plaintiff Novartis Pharma AG (“Novartis”) in the above-captioned matter and write on behalf of both Novartis and Defendant Incyte Corporation (together, the “Parties”) to request an adjournment of the discovery dispute conference, currently scheduled for December 7, 2022, at 11:00 a.m. (Rec. Doc. No. 234) to December 9, 2022, at 10:00 a.m. The Parties also request that the conference be held telephonically.

The Parties jointly request an adjournment as December 7 is also the date by which the Parties must file their respective opposition papers to pending summary judgment and *Daubert* motions (Rec. Doc. Nos. 157, 160, 167, 170, 175, 176) in this case. The requested adjournment will not affect any other scheduled dates, and the Parties have made the requisite telephone call pursuant to Section 1(F) of Your Honor’s Individual Practices to confirm the Court’s availability.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Sylvia E. Simson

Sylvia E. Simson

cc: All Counsel of Record (via ECF)

The application to adjourn the conference to December 9, 2022, is granted, except the start time of the conference shall be 11:00 a.m. Additionally, the application to hold the conference telephonically is granted. The parties shall dial (888) 557-8511 and use access code: 6642374. (The public may also dial in but will be permitted only to listen.) When dialing in to the conference, the parties must be in a quiet indoor location and must not use a speakerphone. A telephone line and microphone technology with optimal quality should be used. The Court will record the proceeding for purposes of transcription in the event a transcript is ordered. However, any other recording or dissemination of the proceeding in any form is forbidden.

So Ordered.

A handwritten signature in black ink, appearing to read 'Gabriel W. Gorenstein', is written over a horizontal line.

GABRIEL W. GORENSTEIN
United States Magistrate Judge

December 2, 2022